



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
445 12th STREET S.W.
WASHINGTON D.C. 20554

News media information 202-418-0500
Internet: <http://www.fcc.gov> (or <ftp.fcc.gov>)
TTY (202) 418-2555

DA No. 14-726

Thursday May 29, 2014

Report No. TEL-01673

International Authorizations Granted

Section 214 Applications (47 C.F.R. § 63.18); Section 310(b) Requests

The following applications have been granted pursuant to the Commission's streamlined processing procedures set forth in Section 63.12 of the Commission's rules, 47 C.F.R. § 63.12, other provisions of the Commission's rules, or procedures set forth in an earlier public notice listing applications accepted for filing.

Unless otherwise noted, these grants authorize the applicants (1) to become a facilities-based international common carrier subject to 47 C.F.R. § 63.22; and/or (2) to become a resale-based international common carrier subject to 47 C.F.R. § 63.23; or (3) to exceed the foreign ownership benchmark applicable to common carrier radio licensees under 47 U.S.C. § 310(b).

THIS PUBLIC NOTICE SERVES AS EACH NEWLY AUTHORIZED CARRIER'S SECTION 214 CERTIFICATE. It contains general and specific conditions, which are set forth below. Newly authorized carriers should carefully review the terms and conditions of their authorizations. Failure to comply with general or specific conditions of an authorization, or with other relevant Commission rules and policies, could result in fines and forfeitures.

Petitions for reconsideration under Section 1.106 or applications for review under Section 1.115 of the Commission's rules in regard to the grant of any of these applications may be filed within thirty days of this public notice (see Section 1.4(b)(2)).

An updated version of Sections 63.09–.25 of the rules, and other related sections, is available at <http://www.fcc.gov/ib/pd/pf/telecomrules.html>.

For additional information, please contact the FCC Reference and Information Center, Room CY-A257, 445 12th Street SW, Washington, D.C. 20554, (202) 418-0270.

ITC-214-20140422-00136 E Callafrica.com,LLC

International Telecommunications Certificate

Service(s): Global or Limited Global Resale Service

Grant of Authority

Date of Action: 05/23/2014

Application for authority to provide resale service in accordance with section 63.18(e)(2) of the Commission's rules, 47 C.F.R. § 63.18(e)(2).

ITC-214-20140423-00131 E Teledigicom Corporation

International Telecommunications Certificate

Service(s): Global or Limited Global Resale Service

Grant of Authority

Date of Action: 05/23/2014

Application for authority to provide resale service in accordance with section 63.18(e)(2) of the Commission's rules, 47 C.F.R. § 63.18(e)(2).

ITC-214-20140430-00142 E City Communications, Inc.

International Telecommunications Certificate

Service(s): Global or Limited Global Facilities-Based Service, Global or Limited Global Resale Service

Grant of Authority

Date of Action: 05/23/2014

Application for authority to provide facilities-based service in accordance with section 63.18(e)(1) of the Commission's rules, and also to provide resale service in accordance with section 63.18(e)(2) of the Commission's rules, 47 C.F.R. § 63.18(e)(1), (2).

ITC-ASG-20140421-00135 E Birch Communications, Inc.

Assignment

Grant of Authority

Date of Action: 05/23/2014

Current Licensee: dishNET Wireline L.L.C.

FROM: dishNET Wireline L.L.C.

TO: Birch Communications, Inc.

Application for consent to the partial assignment of international section 214 authorization, ITC-214-20080219-00066, held by dishNET Wireline LLC (dishNET) to Birch Communications, Inc. (BCI). Pursuant to the terms of an Assets Purchase Agreement, dated April 18, 2014, BCI will purchase certain assets and customers of dishNET, including certain customer accounts and receivables, certain customer agreements and contracts, certain vendor agreements and contracts, certain equipment, and certain intellectual property, relating to dishNET's customers that currently receive services from dishNET under its "Liberty-Bell Telecom" trade name in Colorado, New Mexico, and Utah. The transaction does not include the residential customers that receive services from dishNET. dishNET will retain its international section 214 authorization, ITC-214-20080219-00066, and continue to provide service to its remaining customers pursuant to that authorization. Upon closing, Ionex Communications North, Inc. d/b/a Birch Communications, a wholly-owned subsidiary of BCI, will provide service to the newly acquired customers in Colorado, New Mexico, and Utah under authority of BCI's international section 214 authorization, ITC-214-19970926-00584, pursuant to section 63.21(h) of the Commission's rules, 47 C.F.R. § 63.21(h).

Birch Communications Holdings, Inc. (Birch Holdings) owns 100% voting and equity interest in BCI. The following three individuals, all U.S. citizens, hold 5% or greater direct or indirect ownership interests in Birch Holdings: Holcombe Green (53% voting and equity interest); R. Kirby Godsey (Mr. Godsey) (21% voting and equity interest) (Mr. Godsey holds his equity and voting interests through his individual holdings and through the R. Kirby Godsey 2008 Grantor Retained Annuity Trust); and Vincent Oddo (7% voting and equity interest).

This authorization is without prejudice to the Commission's action in any other related pending proceedings.

ITC-T/C-20140422-00140 E Cbeyond Communications, LLC

Transfer of Control

Grant of Authority

Date of Action: 05/23/2014

Current Licensee: Cbeyond Communications, LLC

FROM: Cbeyond Communications, LLC

TO: Birch Communications, Inc.

Application for consent to the transfer of control of international section 214 authorization, ITC-214-20001016-00619, held by Cbeyond Communications, LLC (Cbeyond), from its 100% parent, Cbeyond, Inc., to Birch Communications, Inc. (BCI). Pursuant to the terms of an Agreement and Plan of Merger, dated April 19, 2014, Hawks Merger Sub, an entity formed to effectuate the transaction, will merge with and into Cbeyond, Inc., with Cbeyond, Inc. emerging as the surviving entity. Upon closing, Cbeyond, Inc. and Cbeyond will become wholly-owned direct and indirect subsidiaries of BCI, respectively.

Birch Communications Holdings, Inc. (Birch Holdings) owns 100% voting and equity interest in BCI. The following three individuals, all U.S. citizens, hold 5% or greater direct or indirect ownership interests in Birch Holdings: Holcombe Green (53% voting and equity interest); R. Kirby Godsey (Mr. Godsey) (21% voting and equity interest) (Mr. Godsey holds his equity and voting interests through his individual holdings and through the R. Kirby Godsey 2008 Grantor Retained Annuity Trust); and Vincent Oddo (7% voting and equity interest).

This authorization is without prejudice to the Commission's action in any other related pending proceedings.

Transfer of Control

Grant of Authority

Date of Action: 05/28/2014

Current Licensee: Comcast Phone of Michigan, LLC**FROM:** Comcast of the South**TO:** Comcast of Colorado/Florida/Michigan/New Mexico/Pennsylvania/Washington, LLC

Notification filed April 25, 2014, of the pro forma transfer of control of international section 214 authorization, ITC-214-20031017-00480, held by Comcast Phone of Michigan, LLC (Comcast Michigan), from Comcast of the South, Inc. (Comcast South) to Comcast of Colorado/Florida/Michigan/New Mexico/Pennsylvania/Washington, LLC, effective March 31, 2014. On that date, Comcast South converted from a corporation to a limited liability company, and then changed its name to Comcast of Colorado/Florida/Michigan/New Mexico/Pennsylvania/Washington, LLC. Comcast Michigan was a wholly-owned subsidiary of Comcast South and is now a wholly-owned subsidiary of Comcast of Colorado/Florida/Michigan/New Mexico/Pennsylvania/Washington, LLC.

INFORMATIVE**ITC-214-19990811-00547**

TELEMANAGEMENT SERVICES, INC.

By letter dated May 22, 2014, Applicant notified the Commission that Concert Global, LLC will be discontinuing its long distance (intrastate and international) services.

ITC-214-20001219-00728

Network Innovations US Inc.

By letter dated May 6, 2014, the Commission was notified that GMPCS Personal Communications, Inc. has changed its name to Network Innovations US Inc. effective April 4, 2014.

ITC-214-20070928-00393

ARX Communications, LLC

By letter dated May 16, 2014, the Commission was notified that Asia Consultancy Group, LLC has changed its name to ARX Communications, LLC.

ITC-214-20090410-00155

Network Innovations US Inc.

By letter dated May 6, 2014, the Commission was notified that GMPCS Personal Communications, Inc. has changed its name to Network Innovations US Inc. effective April 4, 2014.

SURRENDER**ITC-214-20031029-00498**

Globe Wireless LLC

By letter filed May 9, 2014, Applicant notified the Commission of the Surrender of its international section 214 authorization.

ITC-214-20050607-00212

Globe Wireless LLC

By letter filed May 9, 2014, Applicant notified the Commission of the Surrender of its international section 214 authorization.

CONDITIONS APPLICABLE TO INTERNATIONAL SECTION 214 AUTHORIZATIONS

- (1) These authorizations are subject to the Exclusion List for International Section 214 Authorizations, which identifies restrictions on providing service to particular countries or using particular facilities. The most recent Exclusion List is at the end of this Public Notice. The list applies to all U.S. international carriers, including those that have previously received global or limited global Section 214 authority, whether by Public Notice or specific written order. Carriers are advised that the attached Exclusion List is subject to amendment at any time pursuant to the procedures set forth in Streamlining the International Section 214 Authorization Process and Tariff Requirements, IB Docket No. 95-118, 11 FCC Rcd 12884 (1996), para. 18. A copy of the current Exclusion List will be maintained in the FCC Reference and Information Center and will be available at <http://www.fcc.gov/ib/pd/pf/telecomrules.html#exclusionlist>. It also will be attached to each Public Notice that grants international Section 214 authority.
- (2) The export of telecommunications services and related payments to countries that are subject to economic sanctions may be restricted. For information concerning current restrictions, call the Office of Foreign Assets Control, U.S. Department of the Treasury, (202) 622-2520.
- (3) Carriers shall comply with the requirements of Section 63.11 of the Commission's rules, which requires notification by, and in certain circumstances prior notification by, U.S. carriers acquiring an affiliation with foreign carriers. A carrier that acquires an affiliation with a foreign carrier will be subject to possible reclassification as a dominant carrier on an affiliated route pursuant to the provisions of Section 63.10 of the rules.
- (4) A carrier may provide switched services over its authorized resold private lines in the circumstances specified in Section 63.23(d) of the rules, 47 C.F.R. § 63.23(d).
- (5) Carriers shall comply with the "No Special Concessions" rule, Section 63.14, 47 C.F.R. § 63.14.
- (6) Carriers regulated as dominant for the provision of a particular communications service on a particular route for any reason other than a foreign carrier affiliation under Section 63.10 of the rules shall file tariffs pursuant to Section 203 of the Communications Act, as amended, 47 U.S.C. § 203, and Part 61 of the Commission's Rules, 47 C.F.R. Part 61. Carriers shall not otherwise file tariffs except as permitted by Section 61.19 of the rules, 47 C.F.R. § 61.19. Except as specified in Section 20.15 with respect to commercial mobile radio service providers, carriers regulated as non-dominant, as defined in Section 61.3, and providing detariffed international services pursuant to Section 61.19, must comply with all applicable public disclosure and maintenance of information requirements in Sections 42.10 and 42.11.
- (7) Carriers shall file the annual reports of overseas telecommunications traffic required by Section 43.61(a).
- (8) Carriers shall file annual reports of circuit status required by Section 43.82. This requirement applies to facilities-based carriers and private line resellers, respectively. See also <http://www.fcc.gov/ib/pd/pf/csmanual.html>.
- (9) Carriers should consult Section 63.19 of the rules when contemplating a discontinuance, reduction or impairment of service.
- (10) If any carrier is reselling service obtained pursuant to a contract with another carrier, the services obtained by contract shall be made generally available by the underlying carrier to similarly situated customers at the same terms, conditions and rates. 47 U.S.C. § 203.
- (11) To the extent the applicant is, or is affiliated with, an incumbent independent local exchange carrier, as those terms are defined in Section 64.1902 of the rules, it shall provide the authorized services in compliance with the requirements of Section 64.1903.
- (12) Except as otherwise ordered by the Commission, a carrier authorized here to provide facilities-based service that (i) is classified as dominant under Section 63.10 of the rules for the provision of such service on a particular route and (ii) is affiliated with a carrier that collects settlement payments for terminating U.S. international switched traffic at the foreign end of that route may not provide facilities-based switched service on that route unless the current rates the affiliate charges U.S. international carriers to terminate traffic are at or below the Commission's relevant benchmark adopted in International Settlement Rates, IB Docket No. 96-261, Report and Order, 12 FCC Rcd 19806 (1997). See also Report and Order on Reconsideration and Order Lifting Stay in IB Docket No. 96-261, FCC 99-124 (rel. June 11, 1999). For the purposes of this rule, "affiliated" and "foreign carrier" are defined in Section 63.09.

Exclusion List for International Section 214 Authorizations

The following is a list of countries and facilities not covered by grant of global Section 214 authority under Section 63.18(e)(1) of the Commission's Rules, 47 C.F.R. § 63.18(e)(1). Carriers desiring to serve countries or use facilities listed as excluded hereon shall file a separate Section 214 application pursuant to Section 63.18(e)(3) of the Commission's Rules. See 47 C.F.R. § 63.22(c).

Countries:

Cuba (Applications for service to Cuba shall comply with the separate filing requirements of the Commission's Public Notice, DA 10-112, dated January 21, 2010, "Modification of Process to Accept Applications for Service to Cuba and Related Matters.")

Facilities:

All non-U.S.-licensed satellite systems that are not on the Permitted Space Station List, maintained at <http://www.fcc.gov/ib/sd/se/permitted.html>.

This list is subject to change by the Commission when the public interest requires. A current version of this list is maintained at <http://www.fcc.gov/ib/pd/pf/telecomrules.html#exclusionlist>.

For additional information, contact the International Bureau's Policy Division, (202) 418-1460.